

# **EXHIBIT 12**

1 IN THE UNITED STATES DISTRICT COURT

2 FOR THE DISTRICT OF MARYLAND

3 MARYLAND SHALL ISSUE, INC., :

4 et al. :

5 Plaintiffs,:

6 v. : Civil Case No.

7 LAWRENCE HOGAN, et al. : 16-cv-3311-MJG

8 Defendants.:

9 -----

10 CONTAINS CONFIDENTIAL INFORMATION

11 Deposition of SCOTT THOMAS MILLER

12 Baltimore, Maryland

13 Tuesday, March 27, 2018

14 2:07 p.m.

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18  
19  
20 Job No.: 179483

21 Pages: 1 - 37

22 Reported By: Dawn M. Hart, RPR/RMR/CRR

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1 basically how it was. They contacted me and said,  
2 hey, we, you know, we see that you might be a good  
3 member for this. Are you willing to go forward with  
4 it? And I said yeah.

5 Q Who contacted you about that?

6 A Oh, man. I've -- I do know that Mark -- I  
7 have talked to Mark Penick about it. However, I  
8 remember speaking on the phone with a female and  
9 giving her a little bit of my background, answering  
10 some of her questions. Unfortunately I can't remember  
11 what her name is.

12 Q How did the request for volunteers come to  
13 you?

14 A I want to say it was just a verbal request  
15 at one of the meetings. It would either be that or  
16 through email, but I'm pretty sure they just said, you  
17 know, anybody who's willing, just sign up, put your  
18 name down, so I did that.

19 Q What prompted you to join MSI a year and a  
20 half ago?

21 A I want to purchase and own a handgun for  
22 self-defense, and I don't like jumping through hoops

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1 and paying for licenses and classes that I don't feel  
2 are helpful or necessary.

3 Q So it was -- was it the HQL law in  
4 particular that prompted you to join MSI?

5 A Yeah, that's one of the main things, yep.

6 Q When did you first find out about the HQL  
7 law?

8 A Probably about two years ago when I went to  
9 the sporting goods store and was hoping to purchase a  
10 handgun and found out about it that way.

11 Q When did you decide you wanted to buy a  
12 handgun?

13 A I wouldn't say there was any time when I  
14 concretely made up my mind about it. It's just that I  
15 feel like as an adult male, I should be able to defend  
16 my life and my home and my property. And now that I  
17 have, you know, a full-time job, I can afford things  
18 like that. So I mean, yeah, at least for two years  
19 I've been wanting to own a handgun.

20 Q Do you own any firearms right now?

21 A I do.

22 Q What do you own?

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1 A I just own one sporting shotgun.

2 Q A long gun?

3 A Yeah.

4 Q And when did you get that?

5 A That was given to me by my father last  
6 Thanksgiving.

7 Q And have you shopped for a handgun? Do you  
8 know what you would buy?

9 A Yeah. Yeah. I mean I've done lots of  
10 research online just in my free time.

11 Q How much are you thinking about spending?

12 A Like three or \$400.

13 Q And you have sufficient funds or credit that  
14 would enable you to do that?

15 A I can come up with the funds. At this time  
16 I wouldn't have the money to spend on that, but you  
17 know, if I was eligible to purchase a handgun, I would  
18 be able to save up and buy one within a reasonable  
19 amount of time.

20 Q What's your annual income?

21 A I'm not salaried. Do you want to know what  
22 my gross income was last year?

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1 Q So your off days, it looks like, would be  
2 Tuesday, Thursday, Friday?

3 A That's correct. And I go to school on  
4 Tuesday and Thursday afternoons.

5 Q Where are you going to school?

6 A Anne Arundel Community College.

7 Q Do you have a computer at home?

8 A I do.

9 Q Do you have internet access?

10 A I do.

11 Q Do you have a credit or debit card?

12 A I do.

13 Q Do you have a Maryland driver's license?

14 A Yes.

15 Q Do you have access to a scanner?

16 A Yes.

17 Q Have you ever been the victim of criminal  
18 violence?

19 A No.

20 Q And it's my understanding -- well, I think  
21 you said it earlier -- that you've been deterred from  
22 purchasing a handgun because of the requirements of

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1 the HQL law; is that right?

2 You have to say --

3 A Oh, sorry. Yes.

4 Q And what is it about -- well, before I get  
5 into that, what is your understanding of what you  
6 would need to do in order to get an HQL?

7 A My understanding is that you need to take a  
8 handgun safety course, you need to be fingerprinted,  
9 you need to submit an application for the HQL, pay a  
10 fee, and then I suppose wait for the State Police to  
11 issue you your card.

12 Q And what is your understanding of how much  
13 it would cost you to fulfill all those requirements?

14 A I believe -- so my sister's boyfriend just  
15 went through the process. I think he paid about \$160.  
16 I think that was everything included. I'm not sure  
17 how much time it took him. I think he just attended  
18 like a week-long evening class.

19 Q What's your understanding of how long the  
20 handgun safety training takes?

21 A I would imagine it's probably like a 10-hour  
22 course.

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1 Q And that's based on your conversation with  
2 your sister's boyfriend?

3 A Uh-huh.

4 Q Is that right?

5 A Yes.

6 Q Have you done any research to determine how  
7 long the courses are other than talking to your  
8 sister's boyfriend?

9 A Well, I have myself taken a hunter safety  
10 course. It was an online class which I was able to do  
11 in between school semesters this winter, and I  
12 completed that class. However, they only -- the  
13 only -- you have to go to a field day, and the only  
14 field day they offered was in August. So I'm waiting  
15 until August to be able to go and prove that I learned  
16 the material.

17 Q Is this a Maryland hunter's safety course?

18 A Yeah, uh-huh.

19 Q So you've completed the actual coursework  
20 but you need to go to one final --

21 A Yeah. You have to show up in person and  
22 perform whatever operation of a firearm, and I think



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1 take a written test as well.

2 Q And you're planning to do this in August?

3 A Yes.

4 Q How long did it take you to complete the  
5 online training?

6 A It was a significant training because it's  
7 not just firearm safety, it's also hunter -- hunting  
8 safety. I would -- I would estimate 15 hours.

9 Q Do you hunt?

10 A No, not currently.

11 Q Do you plan to?

12 A Not concretely. However, when I do go in  
13 August that will enable me to get a hunting license,  
14 so ...

15 Q What is it that prompted you to want to get  
16 a hunting license?

17 A Well, actually the HQL because my main goal  
18 is to be able to own a handgun, and pardon me for  
19 saying this, but it just seemed silly to take a class  
20 just to prove that you can operate a handgun. And so  
21 I researched it and my brother told me that instead of  
22 taking the handgun class, you can take the Maryland

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1 hunting safety class and use that as your firearms  
2 training. And so I figured that if I did that, at  
3 least now I'm learning something about hunting, get a  
4 little bit more value for my time and money.

5 Q How much did you pay for the hunter's safety  
6 training?

7 A I think it was only \$20.

8 Q Have you done any research to find out how  
9 long it would take, if you took just the HQL handgun  
10 safety training, how long that would take?

11 A I -- I mean I couldn't state exactly how  
12 long it would take.

13 Q I just want to know if you went online and  
14 did any research to determine how long it would take.

15 A No, I can't say I did.

16 Q Have you done any research -- well, what's  
17 your understanding of the fingerprint requirement for  
18 the HQL?

19 A Well, I have been fingerprinted before  
20 because I was a volunteer EMT and you have to be  
21 fingerprinted for that. And the process was just we  
22 went to some government building and the sergeant at

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1 my fire department accompanied me and performed the  
2 fingerprint scanning where you just (indicating),  
3 electronically print all 10 of your fingers, I think.  
4 But I'm pretty sure that there's a separate fee for  
5 that. And you know, even though I went through that  
6 fingerprinting and passed all the checks, you know, in  
7 order to get the HQL I'll have to do another  
8 fingerprinting.

9 Q And have you done any research to determine  
10 how long that would take you?

11 A No.

12 Q Have you done any research to determine how  
13 much it would cost to get fingerprinted for the HQL?

14 A No. I think it's like a 50-dollar fee.

15 Q And what's your source of that belief?

16 A Because my sister's boyfriend told me that  
17 when he signed up for the class, he paid a little  
18 extra so that he didn't have to go somewhere else to  
19 do the fingerprinting. They did it all in-house. So  
20 I think he told me that he paid like \$50 extra to get  
21 that one.

22 Q Do you know where you would need to go to

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1 get the fingerprints done for the HQL?

2 A No, I don't know where I would go to do  
3 that.

4 Q Have you done any research to determine  
5 where it's available?

6 A No.

7 Q Have you ever looked at the HQL application?

8 A I think I have, yes. I'm pretty sure I  
9 have.

10 Q Did you do that online?

11 A Yeah, that would have been online.

12 Q On the Maryland State Police website?

13 A That must have been where I got it from.

14 I'm pretty sure I've reviewed the document, yeah.

15 Q Have you ever started to fill one out?

16 A No, because I knew that without, you know, a  
17 certified training course and fingerprints, there's no  
18 use.

19 Q And do you know how much the fee is  
20 associated with the HQL application?

21 A I don't know.

22 Q It's my understanding that you contend that

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1     you've been deterred from purchasing a handgun because  
2     of the HQL requirements; is that correct?

3             A     Yes.

4             Q     And what is it about the HQL requirements  
5     that you contend has deterred you from purchasing a  
6     handgun?

7             A     I'm a busy guy and I don't like spending  
8     money on things that I feel are unnecessary or not a  
9     good value to me. I know how to operate handguns  
10    safely. I'm a law abiding citizen. My job is to help  
11    people in need. So I just feel it's mostly a matter  
12    of principle. I don't want to, you know, waste my  
13    time and money.

14            But besides that, I'm very busy. I mean, as  
15    I told you, I work, you know, 10-hour shifts and  
16    sometimes that leads to really long nights, and I'm  
17    also in school. So for me to, you know, go through  
18    that, that's pretty much taking up my only day of the  
19    week off, which is already going towards running  
20    errands and, you know, doing other necessary tasks.

21            Q     So aside from the inconvenience that you  
22    just described, is there anything else about the HQL

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1 that has deterred you from purchasing a handgun?

2 A Well, thank you for mentioning the word  
3 inconvenience because I think that's the word I was  
4 searching for.

5 No, I wouldn't say so. I'm not a fan of  
6 firearm registration. However, I have no reason to  
7 believe that I'd be barred from owning one, so it's  
8 mostly the inconvenience. But I don't -- I just don't  
9 feel that there's a need to be licensed to own a  
10 handgun when other types of firearms you can own  
11 without any type of licensure.

12 Q Assuming that you purchased a handgun, would  
13 you plan to carry it with you, or keep it in your  
14 home, or both?

15 A I would certainly keep it in my home. I  
16 would not be carrying it with me because as you're  
17 probably aware, the Maryland State Police is very  
18 withholding of their conceal carry permits and they do  
19 not recognize conceal carry permits from other states.  
20 So I don't believe that there would be any way for me  
21 to legally carry a handgun with me.

22 Q So you don't have any plans to obtain a